

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking on the Commission's Own Motion into Competition For Local Exchange Service.

Rulemaking 95-04-043
(Filed April 26, 1995)

Order Instituting Investigation on the Commission's Own Motion into Competition For Local Exchange Service.

Investigation 95-04-044
(Filed April 26, 1995)

**ADMINISTRATIVE LAW JUDGE'S RULING
GRANTING PROCEDURAL MOTIONS RELATING TO
310 AND 909 AREA CODE AUDIT REPORTS**

By this ruling, various procedural motions are granted relating to the Audit Reports performed by the Telecommunications Division of the California Public Utilities Commission in connection with the 310 and the 909 Area Codes.

Confidentiality Orders

Pursuant to Public Utilities Code Section 583, TD requested leave to file the confidential version of its Audit Report for the 310 Area Code, dated February 16, 2001 under seal. The 310 Audit Report was prepared pursuant to Decision 00-09-073. The confidential version of the 310 Audit Report contains material that telecommunications carriers submitted to TD as proprietary data.

Pursuant to Public Utilities Code Section 583, TD also filed a similar request for leave to file under seal the confidential version of its Audit Report for the 909 Area Code, dated December 20, 2001. TD prepared the 909 Audit Report

pursuant to an ALJ's ruling issued on June 14, 2001. The confidential version of the 909 Audit Report contains material that telecommunications carriers submitted to TD as proprietary data.

Verizon Wireless (Verizon) filed comments in response to the 909 Audit Report on January 24, 2002 in which were included certain materials deemed to be confidential. Verizon filed a concurrent motion for leave to file the confidential version of its comments under seal. Verizon also served on parties a public version of its comments on the 909 Audit Report with the confidential material redacted.

Motion of Arch Wireless, Inc. to become a Party

Arch Wireless, Inc., (Arch), filed a motion on January 30, 2002, to be recognized as a party of record in these proceedings and to accept its comments in response to the Telecommunications Division Staff's Audit Report on the 909 Area Code. Arch, a provider of paging and messaging services, was one of the six entities that were selected by the Staff for an audit of their numbering resource usage.

It is Arch's understanding that each of the other five selected carriers received mailed notice of a January 15, 2002 comment filing deadline, while Arch received no such notice. Arch was informed by Staff that this was because Arch was not deemed a "party" to the proceeding because it did not appear on the service list.

For the foregoing reasons, Arch respectfully moves the CPUC to accept its late-filed comments in response to the Audit Report on the 909 Area Code, and to recognize it as a party of record in the above-captioned proceedings.

Good cause having been shown, the motion of Arch Wireless to become a party and to accept its late-filed comments on the 909 Audit Report is granted.

IT IS RULED that:

1. The motions filed by the Commission's Telecommunications for leave to file under seal the confidential versions of their Audit Reports on the 310 Area Code and the 909 Area Code, respectively, are granted. The confidential versions shall remain under seal for a period of two years from the date of this ruling unless good cause is shown by subsequent motion as to why the period should be further extended.
2. The motion of Verizon Wireless to file the confidential version of its comments in response to the 909 Audit Report is granted. The confidential version shall remain under seal for a period of two years from the date of this ruling unless good cause is shown by subsequent motion as to why the period should be further extended.
3. The motion of Arch Wireless, Inc. to become a party to the proceeding, and to accept its late-filed comments is granted.

Dated March 6, 2002, at San Francisco, California.

/s/ THOMAS R. PULSIFER

Thomas R. Pulsifer
Administrative Law Judge

CERTIFICATE OF SERVICE

I certify that I have by mail this day served a true copy of the original attached Administrative Law Judge's Ruling Granting Procedural Motions Relating to 310 and 909 Area Code Audit Reports on all parties of record in this proceeding or their attorneys of record.

Dated March 6, 2002, at San Francisco, California.

/s/ JACQUELINE GORZUCH
Jacqueline Gorzoch

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities. To verify that a particular location is accessible, call: Calendar Clerk (415) 703-1203.

If specialized accommodations for the disabled are needed, e.g., sign language interpreters, those making the arrangements must call the Public Advisor at (415) 703-2074, TTY 1-866-836-7825 or (415) 703-5282 at least three working days in advance of the event.

R.95-04-043/I.95-04-044 TRP/jgo